Judiciary Unit Delays Vote on Both Nominees

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The Senate Judiciary Committee agreed yesterday to a week's postponement of action on Supreme Court nominees Lewis F. Powell Jr. and William H. Rehnquist.

Opponents of Rehnquist, 47-year-old assistant attorney general, failed in their first attempt to separate his nomination from that of Powell, 64, the Richmond attorney who has incurred no recorded opposition on the committee.

Action on Rehnquist was automatically postponed at the request of Sen. John V. Tunney (D-Calif.) under commitee practice of granting a single one-week layover if any member asks for it. Sen. Marlow W. Cook (R-Ky.), who supports both nominations, then kept the nominations paired by requesting and receiving the same seven-day delay for Powell.

These formalities had been expected, and the committee's executive session broke up within 10 minutes. Chairman James O. Eastland (D-Miss.) predicted that both men could win confirmation by Thanksgiving.

Signaling further efforts to press for approval of Powell and delaying action on Rehnquist, Sen. Birch Bayh (D-Ind.) complained at a press conference, "It is unheard of for two nominees to go like Hansel and Gretel on the Supreme Court."

Bayh said he was ready to vote for Powell. But Bayh and a few other committee Democrats are widely believed preparing to vote against Rehnquist, the conservative head of the Justice Department's office of legal counsel.

During his news conference Bayh said he still wants information from Rehnquist pertaining to his personal philosophy which the nominee refused to give the committee on various grounds. Other committee members indicated, however, that attempts to recall Rehnquist as a witness were certain to be voted down.

Rehnquist appeared to pick up important support when Sen. Charles McC. Mathias (R-Md.) joined Senate Minority Leader High Scott (R-Pa.) at a news conference to announce that they saw nothing to disqualify Rehnquist on the basis of the record as it stands now. Mathias in 1969 and 1970 voted against the two defeated Nixon administration choices, Clement F. Haynsworth Jr. and G. Harrold Carswell.

Abernathy Criticizes Rehnquist and Powell

SAN FRANSICSO, Nov. 11 (AP)—President Nixon's two nominees to the Supreme Court are an "insult" to blacks and poor people, says the head of the Southern Christian Leadership Conference.

Ralph David Abernathy called the nominations of Lewis Powell and William Rehnquist "an attempt by President Nixon to turn back the clock of history by stacking the court against blacks and poor people."

At a news conference Wednesday, he urged "all the forces of good will in this country" to bring pressure to bear and work against the two nominations.

Abernathy called Powell "a white Southerner who had distinguished himself as one of the great forces against civil rights legislation."